

BEFORE THE
DIVISION OF MEDICAL QUALITY
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation
Against:

No. D-4573

LEONARD KAPLAN, M.D.
1631 Northwest Professional
Columbus, OH 43220
California Physician's
and Surgeon's Certificate
No. A-22404

DEFAULT DECISION
AND ORDER

Respondent.

Respondent Leonard Kaplan, M.D., having been served with the Accusation, Statement to Respondent, and Notice of Defense form as provided by Government Code sections 11503 and 11505, and having failed to file a Notice of Defense within the time allowed by section 11506 of said code, and the default of said respondent having been duly noted, the Medical Board of California has determined that respondent has waived his rights to a hearing to contest the merits of said Accusation; that respondent is in default, and that this agency will take action on the Accusation and evidence herein without a hearing, and makes the following findings of fact:

FINDINGS OF FACT

1. The Accusation was made and filed by Kenneth J. Wagstaff, in his official capacity as Executive Director, the

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1 Medical Board of California, Department of Consumer Affairs,
2 State of California.

3 2. On June 5, 1967, the Medical Board of California
4 issued physician's and surgeon's certificate number A-22404 to
5 Leonard Kaplan, M.D. The license expired July 31, 1991.

6 3. The factual allegations of paragraph 4 of the
7 Accusation are true.

8 DETERMINATION OF ISSUES

9 Based on the foregoing findings of fact, respondent has
10 subjected his license to discipline under Business and Profes-
11 sions Code section 2305 as more particularly set forth in
12 Accusation No. D-4573, a copy of which is attached hereto as
13 Exhibit A and is incorporated by reference as if fully set forth.

14 ORDER

15 WHEREFORE, for the aforesaid causes, the Medical Board
16 of California makes its order revoking physician's and surgeon's
17 certificate number A-22404, issued to Leonard Kaplan, M.D.

18 Respondent shall not be deprived of making any further
19 showing by way of mitigation. However, such showing must be made
20 to the Medical Board of California, 1430 Howe Avenue, Sacramento,
21 California 95825, prior to the effective date of this Decision.

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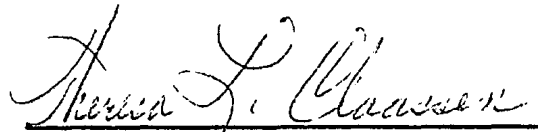
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1 This decision shall become effective on the 8th day of
2 December _____, 1991.

3 Dated and signed this 8th day of November _____, 1991.

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6 Medical Board of California
7 Department of Consumer Affairs
8 State of California

9 THERESA CLAASSEN
10 Secretary/Treasurer
11 Division of Medical Quality
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10 BEFORE THE
11 DIVISION OF MEDICAL QUALITY
12 MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
13 STATE OF CALIFORNIA

14 In the Matter of the Accusation)	NO. D-4573
15 Against:)	
16 LEONARD KAPLAN, M.D.)	<u>ACCUSATION</u>
17 1631 Northwest Professional)	
18 Columbus, OH 43220)	
19 California Physician and Surgeon)	
20 Certificate No. A-22404)	
21 Respondent.)	

22 Kenneth J. Wagstaff, for causes for discipline,
23 alleges:

24 1. Complainant Kenneth J. Wagstaff makes and files
25 this accusation in his official capacity as Executive Director of
26 the Medical Board of California (hereinafter referred to as the
27 "Board").

1 2. On June 5, 1967, the Medical Board of California
2 issued physician and surgeon certificate number OH 43220 to
3 Leonard Kaplan, M.D. The certificate was in full force and
4 effect at all times pertinent herein and has been renewed through
5 July 31, 1991.
6

7 3. Under Business and Professions Code section 2234,
8 the Division of Medical Quality may take action against any
9 licensee who is charged with unprofessional conduct. Pursuant to
10 Business and Professions Code section 2305, the revocation,
11 suspension, or other discipline by another state of a license or
12 certificate to practice medicine issued by that state, or the
13 revocation, suspension or restriction of the authority to
14 practice medicine by any agency of the federal government
15 constitutes grounds for disciplinary action for unprofessional
16 conduct against a licensee.
17

18 4. Respondent has subjected his certificate to
19 discipline under Business and Professions Code section 2305 for
20 unprofessional conduct in that on or about August 12, 1989, in
21 disciplinary action taken by the State Medical Board of Ohio,
22 respondent's right to practice medicine in the State of Ohio was
23 revoked by reason of the following conduct:

24 A. On May 2, 1988, in Orange County Supreme Court,
25 State of New York, Case No. SCI 88-86, State v. Kaplan,
26 respondent was convicted on his plea of guilty to one felony
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1 count of grand larceny. The facts and circumstances are as
2 follows:

3 1. Respondent admitted that from approximately
4 September, 1986, through the early part of 1988,
5 while he was in private general psychiatric
6 practice in Newburgh, New York, he submitted claims
7 for reimbursement from Medicaid for services he had
8 not actually provided.
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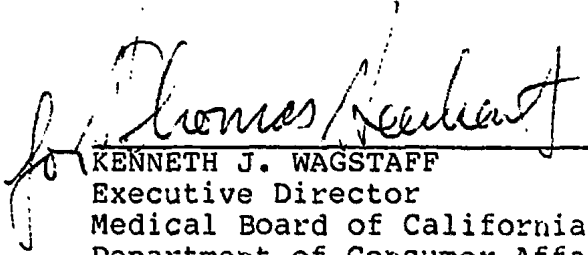
10 WHEREFORE, complainant prays that a hearing be held and
11 that the Division of Medical Quality make its order:

12 1. Revoking or suspending certificate number OH 43220,
13 issued to Leonard Kaplan, M.D.

14 2. Prohibiting Leonard Kaplan, M.D. from supervising a
15 Physician's Assistant.

16 3. Taking such other and further action as may be
17 deemed proper and appropriate.

18 DATED July 18, 1991

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22 KENNETH J. WAGSTAFF
23 Executive Director
24 Medical Board of California
25 Department of Consumer Affairs
26 State of California

25 Complainant

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27 SA90AD2177
(Donna Kringer)